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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,385	04/20/2001	Mark A. Smith	10001074-1	2505

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EXAMINER	
NGHIEM, MICHAEL P	
ART UNIT	PAPER NUMBER
2863	

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/839,385

Applicant(s)

SMITH ET AL.

Examiner

Michael P Nghiem

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2004 and 18 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-20 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 and 10-20 is/are allowed.
- 6) ☒ Claim(s) 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The Amendment filed on November 18, 2004 has been acknowledged.

Request for Continued Examination

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 14, 2004 has been entered.

Withdrawal of Allowability

2. The indicated allowability of claim 24 is withdrawn in view of the newly discovered reference(s) to Otis et al. (US 6,572,214) and Heim et al. (US 6,789,883). Rejections based on the newly cited reference(s) follow.

Claim Objections

3. Claim 23 is objected to because it includes a reference character (34, line 2) which is not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otis et al. (US 6,572,214) in view of Heim et al. (US 6,789,883).

Regarding claims 22 and 24, Otis et al. discloses a replaceable ink container (12) for providing ink to an inkjet printing system (10), the inkjet printing system having a receiving station (14), the receiving station having a plurality of corresponding electrical contacts (column 5, lines 56-58), a fluid interconnect (40) and a sealing structure (71) surrounding the fluid interconnect, the replaceable ink container comprising:

- a reservoir (reservoir of 12) for retaining ink having particles suspended therein (column 5, lines 15-17), the reservoir having a fluid outlet (66) configured for allowing passage of the fluid interconnect into the reservoir (Fig. 3);

- a sealing surface (bottom surface of 12 surrounding 66, Fig. 3) surrounding the fluid outlet for engaging the sealing structure (Fig. 3), the sealing surface configured so that ink and particles suspended therein wet the sealing surface (ink may flow out to sealing surface, Fig. 3).

Regarding claims 23 and 24, Otis et al. discloses that the reservoir includes a leading end (leading end of 12) and a trailing end (trailing end of 12) relative to an insertion direction (Fig. 2), and a bottom surface extending between the leading end and the trailing end (bottom surface of 12), and wherein the fluid outlet is disposed on the bottom surface of the reservoir (Fig. 3).

Regarding claim 24, Otis et al. further discloses a latch (30) for securing the ink container to the receiving station, the latch disposed on the trailing end of the reservoir (Fig. 2).

However, Otis et al. does not disclose the following limitations:

- regarding claims 22 and 24, a plurality of electrical contacts disposed on the reservoir and electrically connected to an electrical storage device, the plurality of electrical

Art Unit: 2863

contacts configured for connection to the plurality of corresponding electrical contacts disposed in the receiving station.

- regarding claim 23, the plurality of electrical contacts are disposed on the leading end of the reservoir.

Nevertheless, Heim et al. discloses a plurality of electrical contacts (78) disposed on the reservoir for electrically connected to an electrical storage device (80) (Fig. 7), the plurality of electrical contacts configured for connection to the plurality of corresponding electrical contacts (64) disposed in the receiving station (14) (Fig. 5), wherein the plurality of electrical contacts are disposed on the leading end of the reservoir (Fig. 7), for the purpose of storing printing information needed by the printing system.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide Otis et al. with the electrical connections and arrangement as disclosed by Heim et al. for the purpose of storing printing information.

Allowable Subject Matter

5. Claims 1-8 and 10-20 are allowed.

Reasons for Allowance

6. The combination or method as claimed wherein solidifying the sealing material at least partially in a groove in the sealing structure or between the sealing surface and the sealing structure (claims 1, 7, 10, 16) is not disclosed, suggested, or made obvious by the prior art of record.

Petersen et al. (US 6,361,157) discloses a printing system (Figs. 1, 3) comprising a groove (52c) in the sealing structure (40). However, the groove contains a sealing lubricant (column 3, lines 31-32) and does not contain a sealing material defined by solid particles held in a suspension, and sealing by the solid particles falling out of the suspension.

Response to Arguments

7. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

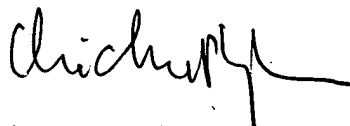
Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P Nghiem whose telephone number is (571) 272-2277. The examiner can normally be reached on M-H.

Art Unit: 2863

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MICHAEL NGHIEM
PRIMARY EXAMINER

Michael Nghiem

January 14, 2005